

AGENDA
EXETER TOWN COUNCIL
REGULAR MEETING

MEETING DATE

MONDAY, OCTOBER 2, 2023, 7:00 P.M.

MEETING LOCATION

**COUNCIL CHAMBERS, CLERK'S OFFICE BUILDING
675 TEN ROD ROAD, EXETER, RHODE ISLAND**

**All Agenda Items are subject to review, consideration,
discussion, and/or possible action by the Town Council**

**Per the Town Council's By-laws, Section 119 (Decorum), order must be preserved during
Town Council Meetings. No person shall by statement, action, conversation, or otherwise,
interrupt a Council Member or delay the proceedings of the Town Council Meeting.**

No. 1: PLEDGE OF ALLEGIANCE

No. 2: CALL TO ORDER AND ROLL CALL

No. 3: ACKNOWLEDGEMENTS AND ANNOUNCEMENTS:

- A. RANDY McGOVERN, ELECTRICAL INSPECTOR, RESIGNED ON
SEPTEMBER 15, 2023, AFTER 39 YEARS OF SERVICE TO THE
TOWN OF EXETER**

No. 4: APPROVAL OF AGENDA ORDER

No. 5: APPROVAL OF CONSENT AGENDA: Consent Agenda items are
accepted in one motion, unless removed by a Council Member.

- A. REYNOLDS CHARITABLE TRUST: Approval of Vouchers and Signing
of Documents, if any.**

B. REPORTS: Those removed by a Council Member will be addressed under Agenda Item No. 11.

- 1. TOWN CLERK**
- 2. TREASURER**
- 3. TAX ASSESSOR**
- 4. TAX COLLECTOR**
- 5. TOWN PLANNER**
- 6. ANIMAL CONTROL**
- 7. TRANSFER STATION**
- 8. EXETER PUBLIC LIBRARY**
- 9. INFORMATION TECHNOLOGY**
- 10. DEPARTMENT OF PUBLIC WORKS**
- 11. DEPARTMENT OF SOCIAL SERVICES**
- 12. EMERGENCY MANAGEMENT/PUBLIC SAFETY**
- 13. RURAL LAND PRESERVATION TRUST COMMITTEE**
- 14. EXETER JOB CORPS ACADEMY**
- 15. EXETER-WEST GREENWICH SCHOOL DISTRICT**
- 16. EXETER-WEST GREENWICH REGIONAL SCHOOL BUILDING COMMITTEE**

C. COMMUNICATIONS: See Appendix A attached hereto and incorporated herein. Those removed by a Council Member will be addressed under Agenda Item No. 13.

D. SCHEDULE OF OCTOBER MEETINGS AND EVENTS

E. BILLS, APPROPRIATIONS, AND ABATEMENTS:

- 1. BILL SHEET**
- 2. TAX ASSESSOR'S ABATEMENTS**
- 3. TAX COLLECTOR'S REMITTANCES AND ABATEMENTS**

F. APPROVAL OF MINUTES:

- 1. COUNCIL REGULAR MEETING, SEPTEMBER 5, 2023**

No. 6: VACANCIES AND APPOINTMENTS:

A. VACANCIES:

- 1. PERSONNEL BOARD (5 MEMBERS NEEDED)**
- 2. CONSERVATION COMMISSION (7 MEMBERS NEEDED)**

B. RESIGNATIONS

C. APPOINTMENTS:

- 1. JUVENILE HEARING BOARD ALTERNATE MEMBER (TO SERVE THREE-YEAR TERM BEGINNING DATE OF APPOINTMENT)**
- 2. EXETER RURAL LAND PRESERVATION TRUST COMMITTEE MEMBER (TO SERVE FOUR-YEAR TERM BEGINNING DATE OF APPOINTMENT)**
- 3. WOOD-PAWCATUCK WILD AND SCENIC RIVERS STEWARDSHIP COUNCIL ALTERNATE MEMBER**
- 4. LIBRARY BOARD OF TRUSTEES MEMBER (TO SERVE THREE-YEAR TERM BEGINNING DATE OF APPOINTMENT)**
- 5. BOARD OF CANVASSERS ALTERNATE MEMBER (TO SERVE UNEXPIRED TERM ENDING MAY 3, 2027)**
- 6. ELECTRICAL INSPECTOR**
- 7. TAX ASSESSOR'S CLERK**

D. EXPIRING TERMS:

- 1. REYNOLDS CHARITABLE TRUST COMMITTEE MEMBER: CARL BOWEN (TERM EXPIRES OCTOBER 13, 2023)**
- 2. REYNOLDS CHARITABLE TRUST COMMITTEE MEMBER: NANCY ANDERTON (TERM EXPIRES NOVEMBER 2, 2023)**

No. 7: PUBLIC HEARINGS

No. 8: PUBLIC COMMENT: Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council, unless they are of an emergency nature. (3-minute time limit per person; 15-minute maximum time allowed for this agenda item).

Section 42-46-6 of the Open Meetings Act and the Town Council By-Laws prohibit the Town Council from deliberating, debating, or acting on previously unposted matters during the Public Comment section of the agenda.

State law prohibits the Town Council from acting or voting upon any such matter, except under emergency circumstances. The Town Council may only, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting. Accordingly, because the Council is obliged not to respond, the immediate silence of the Town Council Members relative to any matter raised by a speaker during Public Comment may not be construed as any endorsement, confirmation, acquiescence in, support of, or the taking of any position concerning, a matter raised by a member of the public under Public Comment.

Public participants under Public Comment are also reminded that they must adhere to the dictates of Sections 115.B, 117 (Manner of Address), 119 (Decorum), and 120 (Enforcement) of the Council By-Laws in addressing the Council during a public meeting under Public Comment.

No. 9: NEW BUSINESS:

A. PROPOSED AMENDMENTS TO EXETER CODE OF ORDINANCES:

DUE TO LEGISLATIVE CHANGES TO RIGL 45-24-46.1, EFFECTIVE JANUARY 1, 2024; REPEAL OF OPTIONAL INCLUSIONARY ZONING STATUTE CONTAINED WITHIN EXETER, RHODE ISLAND, CODE OF ORDINANCES:

APPENDIX A, ZONING:

**ARTICLE I, ADMINISTRATION PROCEDURES;
SECTION 1.2, DEFINITIONS:
SECTION 1.2.55, INCLUSIONARY (HOUSING) UNIT**

**ARTICLE IX, AFFORDABLE HOUSING;
SECTION 9.2, ASSURANCE OF AFFORDABILITY:
SECTIONS 9.2.A, BASIC REQUIREMENT and
9.2.C.1, QUALIFICATION and MONITORING**

**SECTION 9.3, MARKETING AND RESIDENT SELECTION:
SECTIONS 9.3.A, PLAN REQUIRED, and
SECTION 9.3.B, LOCAL PREFERENCE**

**SECTION 9.4, INCLUSIONARY ZONING:
IN ITS ENTIRETY**

**ARTICLE X, PLANNED VILLAGE DEVELOPMENT;
SECTION 10.2, SPECIAL REQUIREMENTS:
SECTION 10.2.1, HOUSING AFFORDABILITY**

B. APPLICATION FOR NEW VICTUALING LICENSE: TORRI HIEBER, OWNER/APPLICANT, TWO SCOOPS CAFÉ, 567 SOUTH COUNTY TRAIL, UNIT #110, EXETER, RHODE ISLAND

C. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID: STONE SEAL

- D. DEPARTMENT OF PUBLIC WORKS: MUNICIPAL ROAD AND BRIDGE PROGRAM STATE FUNDS: LOCAL PUBLIC AGENCY AGREEMENT BY AND BETWEEN THE STATE OF RHODE ISLAND AND THE TOWN OF EXETER**
- E. TOWN COUNCIL: AWARDING OF REQUEST FOR PROPOSALS: HISTORICAL BUILDINGS PROJECT: WOODY HILL AND HALL SCHOOLS**
- F. TOWN COUNCIL: REQUEST TO GO OUT TO BID: TOWN FARM HAYING CONTRACT (EXPIRES NOVEMBER 30, 2023)**
- G. EXETER PUBLIC LIBRARY: REQUEST TO GO OUT TO BID: AUTOMATIC DOOR OPENERS**
- H. EXETER PUBLIC LIBRARY: REQUEST FOR APPROVAL: CONTRACT FOR REPLACEMENT OF CARPETS: KARPET KLINIC**
- I. RI INFRASTRUCTURE BANK: MUNICIPAL RESILIENCE PROGRAM**
- J. 911 ASSIGNMENT: COMMUNICATION DATED SEPTEMBER 7, 2023, FROM ASA DAVIS**

No. 10: UNFINISHED BUSINESS:

- A. USE OF AMERICAN RESCUE PLAN ACT FUNDS: POSSIBLE BUILD OF NEW TOWN HALL V. POSSIBLE PURCHASE OF 742 TEN ROD ROAD**
- B. JULY 2022 COMMUNICATION NO 16: GOVERNOR MCKEE: RHODE ISLAND CAPITAL PROJECTS FUND: MULTI-PURPOSE COMMUNITY FACILITIES MATCHING GRANT**
- C. SPLIT ROCK MOBILE PARK:**
 - 1. REQUEST OF ELECTRICAL INSPECTOR RANDY McGOVERN TO OBTAIN ENGINEER'S REPORT AND REQUIRE VIOLATIONS TO BE CORRECTED TIMELY;**
 - 2. TRAILER PARK LICENSE RENEWAL APPLICATION: SPLIT ROCK MOBILE PARK, 480 SOUTH COUNTY TRAIL**
- D. TOWN OF EXETER CODE OF ORDINANCES; CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS; ARTICLE IV, IMPACT FEES**
- E. DIRECTOR OF PUBLIC WORKS: REQUEST FOR GUIDANCE: INCIDENT AT 5 WEST SHORE DRIVE**

F. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID: FOG SEAL USING ASPHALT EMULSIONS

G. SEPTEMBER COMMUNICATION NOS. 11 AND 12 : CELL TOWER PROPOSALS FROM EVEREST INFRASTRUCTURE PARTNERS AND UNISON INFRASTRUCTURE

No. 11: REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:

**A. TOWN COUNCIL ASSISTANT’S REPORT:
TOWN COUNCIL ASSISTANT, KENNETH G. FINDLAY**

B. SOLICITOR’S REPORT : JAMES P. MARUSAK, ESQ.

C. REPORTS REMOVED FROM CONSENT AGENDA

No. 12: OTHER ADMINISTRATIVE ISSUES

No. 13: COMMUNICATIONS

No. 14: EXECUTIVE SESSION:

A. CURRENT/FUTURE LITIGATION:

- 1. GREEN DEVELOPMENT V. TOWN OF EXETER ET ALS (SEVEN CASES)**
- 2. DiGREGORIO V. LAWLER ET AL (TWO CASES)**
- 3. ASA S. DAVIS III V. TOWN OF EXETER (NINE CASES)**
- 4. TRANSGLOBAL CONSTRUCTION V. EXETER PUBLIC LIBRARY (ARBITRATION CLAIM)**

B. POTENTIAL LITIGATION:

- 1. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT: NOTICE OF INTENT TO ENFORCE, TOWN GARAGE, 175 SOUTH COUNTY TRAIL**

C. INVESTIGATIVE MATTERS:

- 1. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT: NOTICE OF INTENT TO ENFORCE, TOWN GARAGE, 175 SOUTH COUNTY TRAIL**

**D. POSSIBLE ACQUISITION OF REAL PROPERTY [RIGL 42-46(5)(a)(5)]:
742 TEN ROD ROAD**

E. COLLECTIVE BARGAINING:

1. MANNER OF RECORDING HOURS WORKED

No. 15: ADJOURNMENT

POSTED SEPTEMBER 27, 2023, AT TOWN OF EXETER CLERK'S OFFICE, PUBLIC LIBRARY, AND POST OFFICE, AND ON SECRETARY OF STATE'S AND TOWN OF EXETER'S WEBSITES

The public is welcome to attend any meetings of the Exeter Town Council or its committees, boards, or commissions. If communications assistance or other accommodation is required or necessary to ensure equal participation, please contact the Exeter Town Clerk's Office two business days prior to the meeting during normal business hours, 9:00 a.m. to 4:00 p.m., at (401) 294-3891, Ext. 9, or clerk@exeterri.gov. The Exeter Town Clerk's Building is handicapped accessible.

APPENDIX A

No. 6C Communications:

- No. 1 09/06/2023 Rhode Island Department of Transportation: Request for Town to repair or remove “Slow School Zone” signs located by Wawaloam Elementary School**
- No. 2 09/06/2023 Letter from Nancy Roth: Interested in starting an Exeter Chamber of Commerce**
- No. 3 09/06/2023 Governor McKee’s Office:**
A) Governor McKee Signs Bill Into Law
B) Governor McKee, DEM Announce Availability of \$2 Million in Outdoor Recreation Funding to Help Communities Build and Expand Local Recreational Resources
C) Announcing the New 2024 DEM Outdoor Recreation Grant Round
D) Governor McKee Highlights Child Care Assistance for Eligible College Students and Working Rhode Islanders
- No. 4 09/06/2023 SBA Communications Corp: Revenue Sharing Details by Tenant, September 2023**
- No. 5 09/07/2023 Asa Davis: Meeting decorum and suggestion for purchase and use of property at 742 Ten Rod Road**
- No. 6 09/07/2023 Asa Davis: Engineering Review Invitation; Fog Seal; Call for Investigation 11- Beta Group Awards; Call for Investigation-waste shingle; Rhode Island State Police package**
- No. 7 09/08/2023 Asa Davis: Cell Tower Revenue Factoring**
- No. 8 09/08/2023 Reynold’s Charitable Trust: Lawn Care Voucher**
- No. 9 09/11/2023 Senator Whitehouse’s Office: Save the Date: December 1, 2023; 14th Annual Rhode Island Energy, Environment & Oceans Leaders Day**

- No. 10 09/11/2023 Governor McKee's Office: Joint Statement from Governor McKee and Lt. Governor Matos on the 22nd Anniversary of September 11th**
- No. 11 09/15/2023 Governor McKee's Office:**
A) Governor McKee, DEM Advise Public that Dangerous Rip Currents and High Surf Expected Through Weekend from Hurricane Lee Impacts
B) McKee Administration Provides Key Updates Related to Hurricane Lee Preparation
C) Governor McKee Announces Independent Man, State House Dome to Undergo Historic Repair and Preservation
- No. 12 09/18/2023 Asa Davis: Estate Drive Cul-de-sac Petition; Second Attempt**
- No. 13 09/18/2023 Rhode Island Department of Health: PFAS Mailing to Private Well Owners**
- No. 14 09/18/2023 Governor McKee's Office: Governor McKee Signs Legislation Dedicating Bridges in Recognition of South Kingstown's Medal of Honor Recipients**
- No. 15 09/19/2023 Kevin Degnan, 188 Ridge Drive: Letter of complaint, DVD, and flash drive of storm drain he believes has been flooding his property; seeking a solution from the Town**
- No. 16 09/22/2023 Senator Whitehouse's Office: Biden- Harris Administration Announces Availability of \$4.6 Billion in Competitive Grants to Cut Climate Pollution as Part of Investing in America Agenda**
- No. 17 09/22/2023 Governor McKee's Office:**
A) RI Suicide and Crisis Line Calls Increase by More than 50 Percent Since 988 Launch
B) Governor McKee, RIDOH Announce Rhode Island Has Joined National PSYPACT Program
- No. 18 09/25/2023 Tonya Hughes: Letter of disagreement with zoning inspector's action taken on B&B's; request that decision be reversed and dismissed**
- No. 19 09/25/2023 Rhode Island Secretary of Housing, Stefan Pryor: US Department of Housing and Urban Development Funding Opportunity Info Session**

- No. 20 09/26/2023 Letter from Derek Foster requesting speed limit signs on Black Plain Road and a street sign at intersection of Austin Farm Road and Black Plain Road**
- No. 21 09/26/2023 Letter from Nancy Anderton: Desires to continue to serve on Reynolds Trust Committee**
- No. 22 09/26/2023 Letter from Carl Bowen: Interested in serving another term on Reynolds Trust Committee**
- No. 23 09/27/2023 Governor McKee's Office: Governor McKee Announces Additional Action to Combat Winter Heating Costs**